

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CHARLES WILLIAMS , individually and on behalf of all others similarly situated v. BIENVILLE ORTHOPAEDIC SPECIALISTS LLC	Case No. 1:23-cv-00232-LG-MTP
ROBERT FENDLEY , individually and on behalf of all others similarly situated v. BIENVILLE ORTHOPAEDIC SPECIALISTS LLC	Case No. 1:23-cv-00234-LG-MTP
GUY SCHENCK , individually and on behalf of all others similarly situated v. BIENVILLE ORTHOPAEDIC SPECIALISTS LLC	Case No. 1:23-cv-00237-LG-MTP
DEBBIE SLUSSER , individually and on behalf of all others similarly situated v. BIENVILLE ORTHOPAEDIC SPECIALISTS LLC	Case No. 1:23-cv-00238-LG-MTP
BRADLEY MCCOY and NANCY MCCOY , individually and on behalf of all others similarly situated v. BIENVILLE ORTHOPAEDIC SPECIALISTS LLC	Case No. 1:23-cv-00243-LG-MTP
ROBERT HARRIS , individually and on behalf of all others similarly situated v. BIENVILLE ORTHOPAEDIC SPECIALISTS LLC	Case No. 1:23-cv-00248-LG-MTP
RICHARD ROSE , individually and on behalf of all others similarly situated v. BIENVILLE ORTHOPAEDIC SPECIALISTS LLC	Case No. 1:23-cv-00253-LG-MTP

ORDER GRANTING IN PART PLAINTIFFS' MOTION TO CONSOLIDATE AND TO APPOINT EXECUTIVE LEADERSHIP COMMITTEE PURSUANT TO FRCP 23(G)

The Court has reviewed Plaintiff's [8] Motion to Consolidate Related Actions and Appoint Executive Leadership Committee Pursuant to FRCP 23(g) and Memorandum in Support submitted by Plaintiffs Charles Williams, Robert Fendley, Guy Schenck, Debbie Slusser, Bradley and Nancy McCoy, Robert Harris, and Richard Rose (the "Motion"), as well as the exhibits attached thereto, and has determined that consolidation of related actions in this proposed class action will promote judicial efficiency and orderly case management while avoiding unnecessary cost and delay. Therefore, Plaintiffs' request for consolidation is granted. The Court further finds that Plaintiffs' request for appointment of interim class counsel is premature and therefore should be denied at this time.

IT IS THEREFORE ORDERED AND ADJUDGED that the [8] Motion is **GRANTED IN PART** as set forth below:

1. Pursuant to Fed. R. Civ. P. 42(a), the Court hereby consolidates *Williams v. Bienville Orthopaedic Specialists, LLC*, Case No. 1:23-cv-00232-LG-MTP (filed September 12, 2023); *Fendley v. Bienville Orthopaedic Specialists, LLC*, Case No. 1:23-cv-00234-LG-MTP (filed September 15, 2023); *Schenck v. Bienville Orthopaedic Specialists, LLC*, Case No. 1:23-cv-00237-LG-MTP (filed September 18, 2023); *Slusser v. Bienville Orthopaedic Specialists, LLC*, Case No. 1:23-cv-00238-LG-MTP (filed September 18, 2023); *McCoy v. Bienville Orthopaedic Specialists, LLC*, Case No. 1:23-cv-00243-LG-MTP (filed September 22, 2023); *Harris v. Bienville Orthopaedic Specialists, LLC*, Case No. 1:23-cv-00248-LG-MTP (filed September 25, 2023); and *Rose v. Bienville Orthopaedic Specialists, LLC*, Case No. 1:23-cv-00253-LG-MTP (filed September 28, 2023) (collectively, the "Related Actions"), under the lowest numbered action, Case No. 1:23-cv-00232-LG-MTP.

2. No further filings shall be made in cases 1:23-cv-00234-LG-MTP, 1:23-cv-00237-LG-MTP, 1:23-cv-00238-LG-MTP, 1:23-cv-00243-LG-MTP, 1:23-cv-00248-LG-MTP, and 1:23-cv-00253-LG-MTP while the cases remain consolidated.

3. All papers previously filed and served to date in the Related Actions are deemed part of the record in the Consolidated Action.

4. Plaintiffs shall file a Notice of Related Case whenever a case that should be consolidated into this action is filed in, or transferred to, this District. If any party objects to such consolidation or otherwise wishes to seek alternative relief, they shall do so within ten (10) calendar days. If the Court determines that the case is related, the clerk shall:

- a. Place a copy of this Order in the separate docket for such action;
- b. Serve on Plaintiffs' counsel in the new case a copy of this Order;
- c. Direct this Order to be served upon Defendant(s) in the new case; and
- d. Make the appropriate entry on the Master Docket.

5. The Court shall enter a scheduling order for further pretrial proceedings as soon as is reasonably practicable.

IT IS FURTHER ORDERED that any additional requested relief is **DENIED** at this time.

IT IS FURTHER ORDERED that the mere communication of otherwise privileged information among and between Plaintiffs' counsel shall not be deemed a waiver of the attorney-client privilege or the attorney work product immunity, as the Court recognizes that cooperation by and among counsel is essential for the orderly and expeditious resolution of this litigation.

IT IS FURTHER ORDERED that counsel for all parties are directed to cooperate with one another, wherever possible, to promote the expeditious handling of pre-trial proceedings in

the Consolidated Action, and to conduct themselves in a manner consistent with the Local Rules of this Court.

SO ORDERED AND ADJUDGED this the 20th day of October, 2023.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.

UNITED STATES DISTRICT JUDGE